

Maine Revised Statutes
Title 30-A: MUNICIPALITIES AND COUNTIES
HEADING: PL 1987, c. 737, Pt. A, §2 (new)

Chapter 201: HOUSING AUTHORITY
HEADING: PL 1987, c. 737, Pt. A, §2 (new)

§4927. MAINE OVERBOARD DISCHARGE ASSISTANCE PROGRAM

The Maine Overboard Discharge Assistance Program shall provide assistance to homeowners whose homes are serviced by substandard or malfunctioning waste water treatment systems, including straight pipe discharges, individual overboard discharge systems, subsurface waste water disposal systems, septic tanks, leach fields and cesspools, which systems result in direct discharges of domestic pollutants to the surface waters of the State. [1989, c. 48, §§7, 31 (NEW).]

1. Operation. The authority shall administer the Maine Overboard Discharge Assistance Program which may be operated in conjunction with other programs of the authority and in cooperation with the Department of Environmental Protection. Other programs of the authority may be used to supplement or be used in conjunction with the Maine Overboard Discharge Assistance Program to achieve the purpose of this subchapter.

A. Money in the fund may be used as security for or be applied in payment of principal, interest, fees and other charges due on loans made or insured under this program. [1989, c. 48, §§7, 31 (NEW).]

B. Money in the fund may be used as grants to assist homeowners who qualify for grant assistance under this program. [1989, c. 48, §§7, 31 (NEW).]

[1989, c. 48, §§7, 31 (NEW) .]

2. Provisions governing use of money. The fund shall be administered subject to this section. Priority shall be given to homeowners who are or are likely to be in noncompliance with the state water classification program, Title 38, chapter 3, subchapter I, article 4-A and who do not have access to adequate capital or credit to remove, rehabilitate or replace the waste water treatment system. For purposes of this subchapter, homeowner includes the owner of a mobile home or manufactured housing unit and the owner of rental housing.

A. The authority, by rules adopted in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, shall establish priorities of assistance to homeowners. These priorities shall be based on:

- (1) The assets of the homeowner;
- (2) The availability of credit or assistance or income from other sources, including financial institutions, investments, trust funds and other similar sources;
- (3) The degree of environmental or public health hazard;
- (4) The immediacy of the need for assistance; and
- (5) Any other variables considered important by the authority. [1989, c. 48, §§7, 31 (NEW) .]

B. Grants, not to exceed \$5,000 per homeowner household, may be provided to a homeowner if:

- (1) The grant is essential to providing housing to the homeowner; and
- (2) The income of the homeowner is insufficient to repay any loan or portion of a loan. [1989 , c. 48 , §§7 , 31 (NEW) .]

C. Loans from the fund shall not exceed \$10,000 per homeowner household at rates of interest not to exceed 8% per year. [1989, c. 48, §§7, 31 (NEW).]

D. Loans from the fund may be made for periods of up to 30 years. If a homeowner cannot repay a loan in full within the 30-year period, the authority may extend the repayment period if the authority determines that the loan can be repaid during the extension period. The authority may waive the payment of interest on any loan or portion of a loan for which the interest payment will be an undue hardship on a household. [1989, c. 48, §§7, 31 (NEW).]

E. Money in the fund may be used to reduce interest rates on loans provided by financial institutions located in this State to homeowners who meet the eligibility requirements of this program. [1989, c. 48, §§7, 31 (NEW).]

F. The program shall be directed primarily at households without access to adequate capital or credit and which meet the eligibility requirements of this program. [1989, c. 48, §§7, 31 (NEW).]

G. The program shall be directed secondarily at eliminating overboard discharges into shellfish growing areas designated by the Department of Marine Resources. [1989, c. 48, §§7, 31 (NEW).]

[1989, c. 48, §§7, 31 (NEW); 1989, c. 878, Pt. A, §89 (AMD) .]

3. Loan insurance. The authority may insure payments due under a loan or lease and may pledge money in the fund as security for such loan or lease, which may be in addition to or in lieu of insurance provided under other provisions of this chapter. Loans or leases shall not constitute any debt or liability on the part of the authority or the State, except to the extent specifically provided by contract executed by the authority.

[1989, c. 48, §§7, 31 (NEW) .]

4. Use of loans and grants. Loans and grants provided in this subchapter may be used for refinancing mortgages, or the payment of interest or a portion of the interest on loans.

[1989, c. 48, §§7, 31 (NEW) .]

5. Procedures. The authority may adopt rules in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, to implement the program.

[1989, c. 48, §§7, 31 (NEW) .]

6. Grants and loans unavailable; compliance. Following a period of 30 days from the date of application for assistance under this section, the unavailability of financial assistance under this section does not relieve an owner of a substandard or malfunctioning wastewater treatment system of that person's obligation to comply with the state water classification program, Title 38, chapter 3, subchapter I, article 4-A or any other provision of law.

[1991, c. 238, §1 (NEW) .]

SECTION HISTORY

1989, c. 48, §§7,31 (NEW). 1989, c. 878, §A89 (AMD). 1991, c. 238, §1 (AMD) .

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